



Docket No: _____

**DECLARATION AND POWER OF ATTORNEY
FOR APPLICATION FOR UNITED STATES PATENT**

As a below named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LASER SHOCK PEENING

described and claimed in the specification:

Check one

*a ☐ attached heretob ☒ filed on JANUARY 21, 2004 as Application Serial No _____

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56. Under Title 35, US Code §119, the priority benefits of the following foreign application(s) filed within one year prior to this application are hereby claimed:

GREAT BRITAIN PATENT APPLICATION NO 0302554.1
FILED 4 FEBRUARY 2003

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to this application, or (b) before the filing date of the above-named foreign priority application(s):

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A Oliff, Reg No 27,075; William P Berridge, Reg No 30,024;
Kirk M Hudson, Reg No 27,562; Thomas J Pardini, Reg No 30,411; and
Edward P Walker, Reg No 31,450; Robert A Miller, Reg No 32,771 and
Mario A Costantino, Reg No 33,565

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE PLC, PO BOX 19928, ALEXANDRIA, VIRGINIA 22320, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like-so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1 Typewritten Full Name of Sole or First Inventor JACQUELYN A WESTLEY
Given Name Middle Initial Family Name

2 Inventor's Signature _____

3 Date of Signature _____

Residence NEWPORT GREAT BRITAIN
City State or Province Country

Citizenship BRITISH

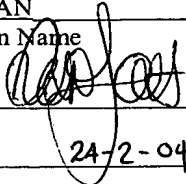
Post Office Address PENTHOUSE, LLANWERN VILLAGE, NEWPORT, GWENT, NP18 2DW, GREAT BRITAIN

***If Box a is checked, this form may be executed only when attached to the specification (including claims) at the end thereof.**
Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

IF THERE IS MORE THAN ONE INVENTOR USE PAGE 2 AND PLACE AN "X" HERE ☒

(Discard this page in a sole inventor application)

1 Typewritten Full Name of Joint Inventor DEAN JONES
Given Name Middle Initial Family Name

2 Inventor's Signature 

3 Date of Signature 24-2-04

Residence BRISTOL GREAT BRITAIN
City State or Province Country

Citizenship BRITISH

Post Office Address 12 LIBERTY GARDENS, CALEDONIAN ROAD, BRISTOL BS1 6JW, GREAT BRITAIN

1 Typewritten Full Name of Joint Inventor IAN ANDREWS
Given Name Middle Initial Family Name

2 Inventor's Signature _____

3 Date of Signature _____

Residence DERBYSHIRE GREAT BRITAIN
City State or Province Country

Citizenship BRITISH

Post Office Address 5 SEALEY CLOSE, WILLINGTON, DERBYSHIRE DE65 6EP, GREAT BRITAIN

1 Typewritten Full Name of Joint Inventor _____
Given Name Middle Initial Family Name

2 Inventor's Signature _____

3 Date of Signature _____

Residence _____
City State or Province Country

Citizenship _____

Post Office Address _____

1 Typewritten Full Name of Joint Inventor _____
Given Name Middle Initial Family Name

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LASER SHOCK PEENING

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1	Typewritten Full Name of Sole or First Inventor	<u>JACQUELYN</u>	<u>A</u>	<u>WESTLEY</u>
		Given Name	Middle Initial	Family Name
2	Inventor's Signature	_____		
3	Date of Signature	_____		
	Residence	<u>NEWPORT</u>	<u>GREAT BRITAIN</u>	
		City	State or Province	Country
	Citizenship	<u>BRITISH</u>		
	Post Office Address	<u>PENTHOUSE, LLANWERN VILLAGE, NEWPORT, GWENT, NP18 2DW, GREAT BRITAIN</u>		

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(Discard this page in a sole inventor application)

1 Typewritten Full Name
of Joint Inventor DEAN JONES
Given Name Middle Initial Family Name

2 Inventor's Signature _____


3 Date of Signature _____

Residence BRISTOL GREAT BRITAIN
City State or Province Country

Citizenship BRITISH

Post Office Address 12 LIBERTY GARDENS, CALEDONIAN ROAD, BRISTOL BS1 6JW, GREAT BRITAIN

1 Typewritten Full Name
of Joint Inventor IAN ANDREWS
Given Name Middle Initial Family Name

2 Inventor's Signature  _____

3 Date of Signature 25 FEB 2004

Residence DERBYSHIRE GREAT BRITAIN
City State or Province Country

Citizenship BRITISH

Post Office Address 5 SEALEY CLOSE, WILLINGTON, DERBYSHIRE DE65 6EP, GREAT BRITAIN

1 Typewritten Full Name
of Joint Inventor _____
Given Name Middle Initial Family Name

2 Inventor's Signature _____

3 Date of Signature _____

Residence _____
City State or Province Country

Citizenship _____

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jacquelyn Anne WESTLEY et al.

Application No.: 10/760,527

Group Art Unit: 1742

Filed: January 21, 2004

Docket No.: 118287

For: LASER SHOCK PEENING

DECLARATION OF VICKY MCCARTHY UNDER 37 C.F.R. §1.47

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Vicky McCarthy, hereby declare and state that:

1. I am secretary to John Bird, Paul Walker and Adam Tindall at Rolls-Royce, plc.
2. Jacquelyn A. Westley, Dean Jones and Ian Andrews are named as co-inventors for the above-identified application.
3. On January 5, 2004, I sent a letter by mail to Ms. Westley (hereinafter the "January 5 letter") that included a copy of the U.S. Patent Application with specification and claims, a Declaration/Power of Attorney Under 37 C.F.R. §1.63 and an Assignment of Patent Issuing from the Application to Rolls-Royce, plc, requesting the execution and return of the Declaration/Power of Attorney and Assignment. The January 5 letter was sent to Ms. Westley's last known address: Penthouse, Llanwern Village, Newport, Gwent, NP18 2DW, Great Britain. A copy of the January 5 letter is attached as Exhibit A.

4. On February 12, 2004, I sent a letter to Ms. Westley (hereinafter the "February 12 letter") requesting the execution and return of the Declaration/Power of Attorney and the Assignment sent with the January 5 letter. The February 12 letter indicated that the Declaration/Power of Attorney must be filed by March 21, 2004. The February 12 letter was sent to Ms. Westley's last known address: Penthouse, Llanwern Village, Newport, Gwent, NP18 2DW, Great Britain. A copy of the February 12 letter is attached as Exhibit B.

5. On or about February 23, 2004, I sent an e-mail asking a colleague, Nicola Crampton, to check company records at Rolls-Royce, plc to confirm the last known address of Ms. Westley. Ms. Crampton confirmed Ms. Westley's last known address as: Penthouse, Station Road, Llanwern Village, Newport, Gwent, NP18 2DW, Great Britain. A copy of the e-mail communication is attached as Exhibit C.

6. On February 24, 2004, I sent a letter by the special delivery service of the Royal Mail to Ms. Westley (hereinafter the "February 24 letter") that also included a copy of the Patent Application with specification and claims, Declaration/Power of Attorney and Assignment, requesting the execution and return of the Declaration/Power of Attorney and Assignment. Confirmation of receipt of the letter at Ms. Westley's last known address as provided by the Royal Mail in a March 18, 2004 letter. I also received a copy of the signature card obtained by the Royal Mail Service upon delivery of the February 24 letter signed by Ms. Westley verifying receipt of the February 24 letter. A copy of the February 24 letter confirmation letter from the Royal Mail and a copy of the signature card are attached as Exhibit D.

7. On March 25, 2004, I sent a letter by the special delivery service of the Royal Mail to Ms. Westley (hereinafter the "March 25 letter") that included a copy of the U.S. Patent Application including specification and claims, the Declaration/Power of Attorney, and an Assignment, requesting the execution and return of the Declaration/Power of Attorney

and Assignment. I included a requested response date of April 14, 2004. I was able to confirm the March 26, 2004 delivery of the March 25 letter through the Royal Mail website by the tracking number assigned to the March 25 letter. A copy of the March 25 letter and a printout of the Royal Mail website page indicating delivery of the March 25 letter is attached as Exhibit E.

8. On May 11, 2004, a colleague Paul Walker performed a search of the website of British Telecom in an effort to determine a telephone number for Ms. Westley. The website search did not reveal a telephone number for Ms. Westley. A copy of the relevant portion of the British Telecom website and his notes are attached as Exhibit F.

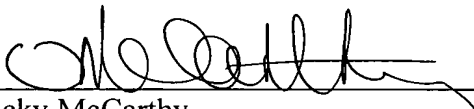
9. On May 18, 2004, I prepared and sent a letter for John Bird (IP Manager at Rolls-Royce, PLC) by the special delivery service of the Royal Mail. The letter included a copy of the U.S. Patent Application with the specification and claims, the Declaration/Power of Attorney and the Assignment, requesting the execution and return of the Declaration/Power of Attorney and Assignment. The letter also requested that the documents be returned within 7 days from receipt. On June 8, 2004 the May 18 letter was returned to me marked as "REFUSED" by the Royal Mail. A copy of the May 18 letter and a copy of the envelope as returned to me is attached as Exhibit G.

10. To date, Ms. Westley has neither telephoned me nor returned any of the documents as requested.

11. Because the application papers have been presented to Ms. Westley on four separate occasions, and because Ms. Wesley has ignored requests to execute and return the documents, and finally refused receipt of the documents, I conclude that Ms. Westley refuses to sign the application papers.

12. I hereby declare that all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1003 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon, or any patent to which this Declaration is directed.

Date: 25 July 2004


Vicky McCarthy

Attachments:
Exhibits A-G